

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, April 15, 2013

Meeting Called to order at 1:05 p.m.

CONSENT CALENDAR

Roll Call: Commissioners Anderson, Ferguson, Figueroa, Garner, Labahn, Fritz, Montes, Peck, Singh, Turner and Zarrinam present.
Commissioner Roberts - absent.

Comments and clarifications regarding meeting minutes: None

Lifer Hearing Backlog Report: The backlog report is now posted online each month, along with the agenda.

Public Comment on Consent Calendar: None

Commissioner TURNER moved to approve the consent calendar and was seconded by Commissioner MONTES. The motion was carried unanimously.

REPORTS AND PRESENTATIONS

Report from Executive Officer, Jennifer Shaffer

SHAFFER introduced the new Deputy Chief Counsel, DONNA FEREBEE and five Graduate Legal Assistants, SUSAN BOOTH, NIKOLETTE CLAVEL, SHORAB CYRUS HAZE GHAZAM, SCOTT MERRILL and STEPHANIE SKEEN.

SHAFFER noted that next week is National Crime Victims Rights Week. She referred to the California Supreme Court's decision in the *Vicks* case, which clarified the role of victims and their next-of-kin in the consideration of parole suitability. She indicated that the Legal Division would provide a briefing on the case.

SHAFFER stated that she and Chief Counsel, HOWARD MOSELEY attended a conference in Berkeley, at which they provided information on the parole suitability process.

SHAFFER stated that commissioners would soon receive a survey, the purpose of which is to identify the most efficient way to set up computer screens at hearings, now that additional screens will be necessary to access the Strategic Offender Management System (SOMS).

Commissioner ANDERSON asked Chief Counsel MOSELEY about the correspondence from Jacques Verduin, Director, Insight-out, inviting commissioners to personally observe the

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

program. SHAFFER indicated Mr. Verduin has offered to restructure any particular program meeting a commissioner attends so as to ensure the content of the program will not prejudice the commissioner from participation in future parole suitability hearings involving program participants.

Report from Chief Counsel, Howard Moseley

Chief Counsel MOSELEY announced that board staff will be creating the Pre-Parole Residential Resource Listing, a compilation of information on transitional housing programs. It will contain such information as length of stay, location and any costs associated with a program.

OPEN COMMENTS

Agenda Items for Future Meetings: None

Public Comments

VANESSA NELSON-SLOANE, Life Support Alliance, expressed concern at the low rate of parole grants at initial suitability hearings.

Meeting recessed at 1:24 p.m. until April 16, 2013 at 10:00 a.m.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, April 16, 2013

Meeting called to order at 10:05 a.m.

Roll call: Commissioners Anderson, Ferguson, Figueroa, Garner, Labahn, Fritz, Montes, Peck, Roberts, Singh, Turner, Zarrinam present.

EN BANC HEARINGS

Recall and Referral for Re-sentencing: Penal Code section 1170(e)

A. SHAPARNIS, STANLEY C-48558
No comments

B. BREWER, BRIAN V-98513

EZEKIEL CORTEZ, attorney for the inmate, MICHAEL KIRKPATRICK, inmate's brother-in-law,
KATHLEEN BREWER, inmate's wife, supported recall and referral for re-sentencing.

STEVE KATZ and ALEXIS DE LA GARZA, District Attorney's Office, Los Angeles County, opposed recall and referral for re-sentencing.

C. DOMINGUEZ, LOUIS F-96467
No comments.

D. JEWELL, DENNIS D-46354
No comments.

Referral by the Governor for Review of parole decision by the full board pursuant to Penal Code section 3041.1 and California Code of Regulations, Title 15, section 2044

E. GOOD, WILLIAMS J-01851
No comments.

DISCUSSION ITEMS

Regulations to Update Board Title, presented by Chief Counsel, Howard Moseley

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

MOSELEY stated that the purpose of the regulation is to amend Title 15, Division 2, California Code of Regulations, to reflect the change to the Board's title. The Office of Administrative Law confirmed that it was only necessary to amend the first page of Division 2. There is no substantive change to Division 2.

Public Comment: None

GARNER moved to approve the regulation and was seconded by TURNER. The motion was carried unanimously.

Regulation regarding Penal Code section 3000.1 Hearings, presented by Chief Counsel, Howard Moseley

MOSELEY stated that the purpose of the regulation was to establish post-realignment procedures for Penal Code section 3000.1 hearings. The regulation includes the following provisions: the definition of inmates who are subject to the procedures; calculation of an inmate's release date; parole ineligibility; the standard to be applied at initial hearings; annual parole consideration hearings; inmates' right notice and composition of panel procedures; the decision review process.

Public Comment: None

SINGH moved to approve the regulation and was seconded by ROBERTS. The motion was carried unanimously.

OPEN COMMENTS

Future agenda items: None

Public Comments:

JILL KLINGE, Alameda County District Attorney's Office, referred to National Crime Victims Rights Week. She questioned whether the interests of victims had been sufficiently addressed at recent en banc hearings.

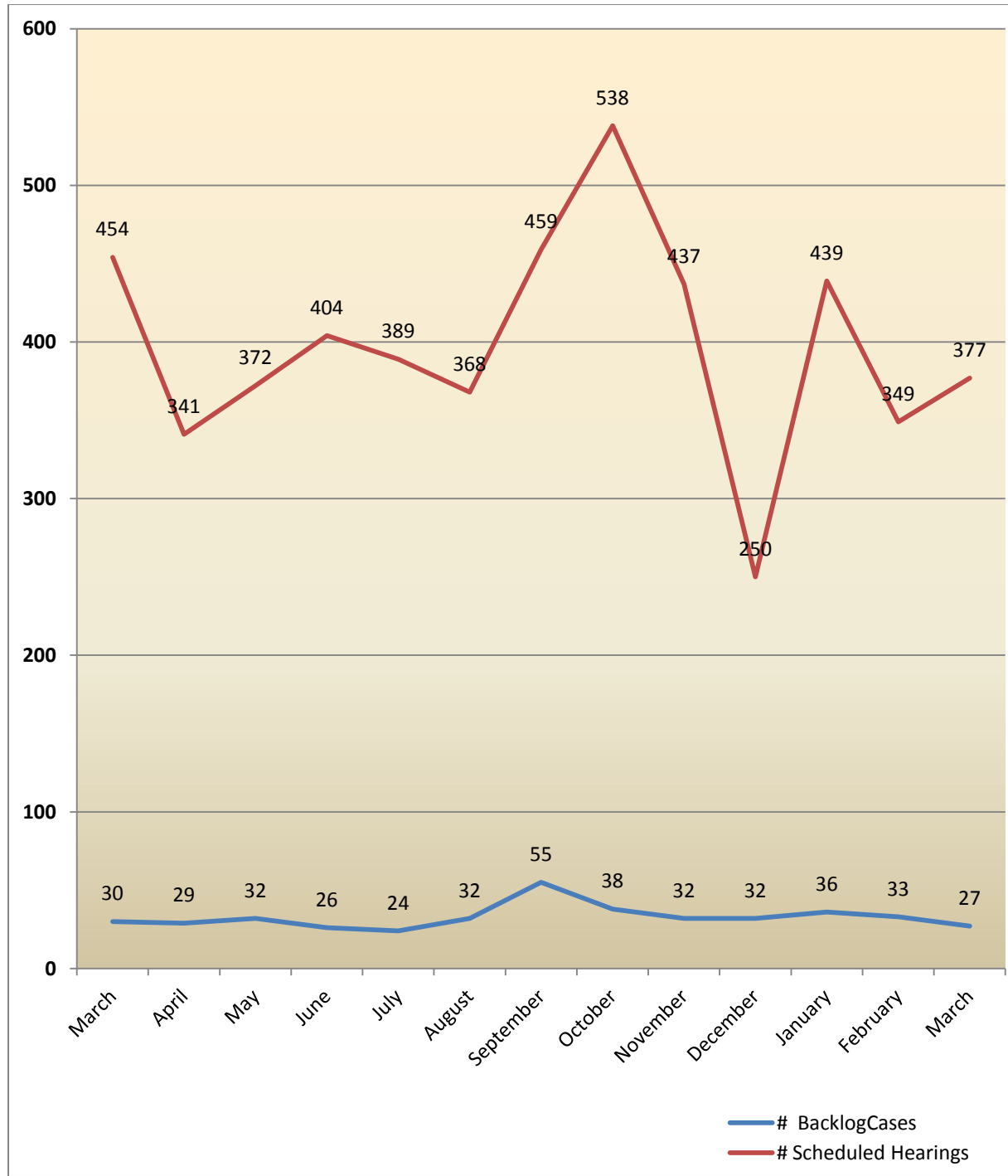
CHRISTINE WARD, executive director of Crime Victims Action Alliance, expressed concern about the lack of understanding of victims' views.

VANESSA NELSON SLOANE, Life Support Alliance, expressed concern that the Timelist Group, which gave a presentation at yesterday's Correctional Rehabilitation Programs Advisory Committee meeting, might face cancellation. She requested the Board's support in maintaining such programs.

Meeting is adjourned at 10:45 a.m.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

BOARD OF PAROLE HEARINGS
Scheduled and Backlog Hearings Report
(Penal Code section 3041(d))
May, 2013



For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.